

**United States District Court**  
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANNA ZBITNOFF,

Plaintiff,

No. C 13-05221 WHA

v.

NATIONSTAR MORTGAGE,

Defendant.

**ORDER RE MOTION  
FOR LEAVE TO FILE AN  
AMENDED COMPLAINT**

Pro se plaintiff, Ann Zbitnoff, moves for leave to file an amended complaint (Dkt. No. 35). Defendant has filed a statement of nonopposition (Dkt. No. 38). Because plaintiff's prior complaint was dismissed pursuant to Rule 12(b)(6), plaintiff is responsible for explaining how her amended complaint cures the deficiencies identified in the December 19, 2013, order. Plaintiff has not done so.

Defendant is, therefore, directed to either stipulate to the amendment of the complaint or to oppose it by **MARCH 7, 2014, AT NOON**. If defendant chooses to stipulate to the proposed amended complaint, it retains its right to move to dismiss pursuant to 12(b)(6). Upon stipulation, the hearing set for March 13, 2014, will be vacated.

If defendant chooses to oppose plaintiff's motion for leave to amend, plaintiff may file a reply brief by **MARCH 13, 2014**. If defendant opposes plaintiff's motion, the hearing currently set for March 13, 2014, will be vacated and reset for **THURSDAY, MARCH 20 AT 8:00 A.M.** in

1 Courtroom 8, on the 19th Floor, Phillip Burton Federal Building, 450 Golden Gate Avenue, San  
2 Francisco, CA 94102.

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4 **IT IS SO ORDERED.**

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6 Dated: February 28, 2014.

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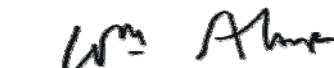
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE